

HEALTH COMMITTEE meeting of September 27, 2000

Minutes

A regular meeting of the Health Committee of the Suffolk County Legislature was held in the Media Room, First Floor of the H. Lee Dennison Building, Veterans Memorial Highway, Hauppauge, New York, on **September 27, 2000**, at 9:30 A.M.

Members Present:

Legislator Ginny Fields - Chairperson
Legislator Brian Foley - Vice-Chair
Legislator Michael Caracciolo
Legislator Joseph Caracappa
Legislator Andrew Crecca

Also in Attendance:

Paul Sabatino - Counsel to the Legislature
Mary Skiber - Aide to Legislator Fields
Linda Burkhardt - Aide to Presiding Officer Tonna
Bonnie Godsman - County Executive's Office/IR
Dr. Clare Bradley - Commissioner/SC Department of Health Services
Robert Maimoni - Director of Health Administrative Services/DHS
Len Marchese - Division of Finance/Department of Health Services
Marilyn Shellabarger - Health Center Liaison Committee
Emi Endo - Newsday
All Other Interested Parties

Minutes Taken By:

Alison Mahoney - Court Stenographer

(* The meeting was called to order at 9:50 A.M. *)

CHAIRPERSON FIELDS:

Good morning. We're going to begin, we're going to start with the Pledge of Allegiance led by Legislator Foley.

Salutation

Alison, I think this will be a record meeting.

MS. MAHONEY:

Great.

CHAIRPERSON FIELDS:

We have no cards. Does anyone want to speak? We have a card?

MS. SHELLABARGER:

I filled out a card.

CHAIRPERSON FIELDS:

We have a card, Marilyn Shellabarger

MS. SHELLABARGER:

Good morning. Thank you for this opportunity. I'm Marilyn Shellabarger and I represent the Health Center Liaison Committee, all the advisory groups of the health centers. The budget cycle has started and that's why I'm here, for the opening gun across the prow.

I want to say that we have received the County Executive's Recommended Budget and we have examined it but each one of the health centers is examining his own or her own budgets so that there will be further discussion when -- and we need the dates for all the hearings. But I did want to urge you that everything in the budget is what we consider minimal in just a quick look at everything and we certainly are urging you to support it. And therefore, we will be back early and often to see everyone in order to do our usual budget thing that we do every year. So thank you.

CHAIRPERSON FIELDS:

Legislator Foley?

LEG. FOLEY:

Thank you. Good morning, Marilyn, I'm glad you're here, as you are every Fall, to oversee the review of the budget and its impact on the health centers. Have you had a chance to speak with the health center advocates about the issue of the Central Islip Health Center?

MS. SHELLABARGER:

No. No, that didn't come --

LEG. FOLEY:

And what thoughts that you could give to the committee at this moment, or is that something still evolving?

MS. SHELLABARGER:

Yeah, absolutely. And we only realized that it was being proposed this year, we knew there was something in the ground about it but we haven't ever had a formal discussion on this.

LEG. FOLEY:

All right. Because it's my understanding, Madam Chair, that in the proposed budget -- and it's something that over the next number of weeks between the budget review office analysis and discussions with the Health Department -- it's my understanding that the new budget does not include monies for a new -
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MS. SHELLABARGER:

That's what I understand.

LEG. FOLEY:

-- let's say a freestanding Central Islip Health Center. So that's one of the issues that this committee will need to explore over the next number of weeks to a month. Certainly the need is there and everyone has acknowledged that the need is there for its own health center, but again there are budgetary realities that need to come into the mix. But at the same time, it's something that I know this committee will take a very close look at.

MS. SHELLABARGER:

Yeah. Thank you very much.

CHAIRPERSON FIELDS:

Thank you. Okay, Tabled -- we were going to have a discussion on IR 1919, but Legislator Levy has asked that when we get to that we table it.

Tabled Resolutions

1749-00 (P) - Establishing Safe Haven Policy for the Blind (D'Andre).

LEG. CARACCILO:

Motion to table.

CHAIRPERSON FIELDS:

I will second the motion. All in favor? Opposed? **Motion tabled (Vote: 4-0-0-1 Not Present: Legislator Caracappa).**

1916-00 (P) - Implementing purchase of Mobile Veterinarian Clinic

(Haley).

LEG. CARACCILO:

Motion to table.

LEG. FOLEY:

Second.

CHAIRPERSON FIELDS:

All in favor? Opposed? **Tabled (Vote: 4-0-0-1 Not Present: Legislator Caracappa).**

1919-00 (P) - Establishing Suffolk County Office of HMO Services (Levy). Motion to table.

LEG. FOLEY:

As per the sponsor's request?

CHAIRPERSON FIELDS:

Yes.

LEG. CARACCILO:

Second.

CHAIRPERSON FIELDS:

All in favor? Opposed? **Tabled (Vote: 4-0-0-1 Not Present: Legislator Caracappa).**

Introductory Resolutions

1938-00 (P) - Amending the Adopted 2000 Operating Budget in connection with "Tooth Fairy Project" Study (Guldi).

LEG. CARACCILO:

Motion to approve. This was approved in Budget yesterday.

CHAIRPERSON FIELDS:

Second the motion.

LEG. CRECCA:

I have a question on that.

LEG. FOLEY:

Well, who's prime; is Budget prime or is this committee?

LEG. CARACCILOLO:

Budget was prime.

LEG. FOLEY:

Budget is prime? It reads here on the agenda as though the Health Committee is prime.

LEG. CARACCILOLO:

Oh, I apologize.

LEG. FOLEY:

But I think you're right, Mike. Normally when we amend an adopted -- when we amend the adopted operating budget it normally is a budget resolution.

LEG. CRECCA:

Madam Chairwoman?

CHAIRPERSON FIELDS:

Yes?

LEG. CRECCA:

Can I ask to have Dr. Bradley come up and just give her comments on this bill?

LEG. CARACCILOLO:

While we're doing that, I also point out that in the first RESOLVED clause the amount of \$35,000 as specified, that is the correct amount of money not 50,000. So during the committee yesterday we made note of that as a scriveners error and the correct amount should be 35,000.

CHAIRPERSON FIELDS:

Thank you.

COMMISSIONER BRADLEY:

At the -- I'm not sure if it was the last Health Committee or the one before that, we had an organization presenting data on Rhabdomyosarcoma and what appeared to be some increased rates in different areas in the County. I presented what is the State data which does not show increase relative to Nassau, relative to Upstate regions.

(* Legislator Caracappa entered the meeting at 9:57 A.M.*)

And there is now a Rhabdomyosarcoma Task Force. I know that the makeup of the committee may change, I know there's a resolution today, and I think the work of the committee will try to discern the discrepancies between those two rates, between the State rate and between the information that was presented to us. I think it is premature to go forward and try to investigate what may be causative in a high rate when we're not sure what the rates are. I just think that it's too premature to go forward with this at this point, I think it would be better to investigate the rates through the task force. If there is an elevated rate in particular areas, then we may want to go forward with such a study.

Strontium has not been causally linked to Rhabdomyosarcoma, radiation has. I can't say, even if we have high rates, what would be the appropriate approach to do in terms of investigating that, so I think it's too premature to go forward with this study at this point. I would rather wait for the task force to do its work, determine if we do have elevated rates and then at that point discern what is the most appropriate and next steps to take.

LEG. CRECCA:

Wasn't it -- I ask my fellow Legislators because we passed the RMS Task Force Bill. That was the purpose of the task force bill, wasn't it, to make recommendations of what really should be done and how it should be approached. So not so much even for the money but just so though we're not barking up the wrong tree. Again, I don't think we're prime on it, but for that reason, it's not that I would want to vote this down, but I would make a motion to table.

LEG. CARACAPPA:

Second.

LEG. FOLEY:

Is Budget prime in this or this committee prime, do we know?

CHAIRPERSON FIELDS:

Can you ask Paul to come in?

MS. SKIBER:

It's Budget.

LEG. CARACAPPA:

Motion to defer.

CHAIRPERSON FIELDS:

But could you ask Paul to come in, please?

LEG. CARACCILOLO:

Budget is prime.

LEG. FOLEY:

Budget is prime? Then motion to defer to prime.

LEG. CARACAPPA:

I'll second that.

LEG. CRECCA:

I'll withdraw my motion to table then.

LEG. CARACCILOLO:

Dr. Bradley, did Legislator Guldi speak to you about this resolution?

COMMISSIONER BRADLEY:

No.

LEG. CRECCA:

The other thing I would recommend, too, if it did get out of Budget which, Mike, you said it did?

LEG. CARACCILOLO:

It did.

LEG. CRECCA:

You may want to have somebody at the Legislative meeting to give those comments, they're very relevant comments.

COMMISSIONER BRADLEY:

Yeah. See, I guess I didn't know that because on here it doesn't say Budget prime, I guess I figured it was the Health Committee who was prime.

LEG. CRECCA:

Right.

COMMISSIONER BRADLEY:

So I didn't know that. The other comment is that I don't believe that this

money is available in our budget to do this study. When the -- and I hope I say this correctly. When the 2001 Budget, Recommended Budget was prepared they swept accounts clean and I don't think that this is there. I think if this goes forward then someone needs to identify the money.

LEG. FOLEY:

It's a common -- through the Chair, if I may. It's a common and accurate response that commissioners give to amendments that Legislators put in this time of the year, that when we make these kinds of amendments they're made after the County Executive proposes his budget for next year and in his proposed budget he has some assumptions about certain monies that will be carry-overs, so to speak. At the same time, when we do make these amendments to the existing budget it's of a dominions nature of \$35,000 that I'm sure there's enough flexibility in the given proposed budget that this is not going to create any budgetary crisis for next year.

COMMISSIONER BRADLEY:

Well, there are three resolutions on this agenda that did the same thing, so 35 and 35 and 35 starts to add up.

LEG. FOLEY:

Okay.

COMMISSIONER BRADLEY:

So this is going to be voted on on Tuesday then?

LEG. FOLEY:

Yes. Motion is on the floor.

CHAIRPERSON FIELDS:

Motion to defer to prime?

LEG. FOLEY:

Second.

CHAIRPERSON FIELDS:

All in favor? Opposed? **Deferred to prime (Vote: 5-0-0-0).**

1960-00 - Amending the 2000 Operating Budget and transferring funds for Suffolk County Society for the Prevention of Cruelty to Animals (Levy).

LEG. CARACCILO:

I believe this was tabled in Budget.

LEG. CRECCA:

Motion to table.

LEG. CARACCILO:

I will second the motion.

CHAIRPERSON FIELDS:

All in favor?

LEG. FOLEY:

Aye.

CHAIRPERSON FIELDS:

Opposed? **Motion to table passes (Vote: 5-0-0-0).**

1961-00 - Amending the 2000 Operating Budget and transferring funds to provide for prenatal care services (Levy).

LEG. FOLEY:

Motion to approve.

CHAIRPERSON FIELDS:

Second the motion.

LEG. CRECCA:

Can I ask that the Commissioner come up and give her comments on this bill?
This is 1961, Commissioner.

COMMISSIONER BRADLEY:

The 2000 Omnibus included \$100,000 for high risk prenatal services, and the intention of the department was to use that for high risk prenatal patients in the health centers and was moving in that direction. Legislator Levy did contact me and say, you know, in terms of what was being done with the money, the money, most of it had not been utilized yet and had a desire to give the money to the Perinatal Coalition which is a coalition that we work very strongly with, they reach out to high risk, pregnant women to try to bring them in for services, so it's a very worth while endeavor. Again, if it's for 2000, by the time we get a contract with them, they'll never -- they won't use most of any of the money so that the balance could be available for the health center for those high risk prenatal patients. So I don't have a problem doing

this, I just don't think at this point of the year they're going to get much of the hundred thousand. I mean, this is September, by the time it gets voted, if it gets voted today, October, by the time we get a contract it will be December before we can do anything with this money for this year.

LEG. CRECCA:

Yeah, it would seem -- I mean, it would seem impractical.

COMMISSIONER BRADLEY:

But I don't have --

LEG. CRECCA:

It's a worth while program.

COMMISSIONER BRADLEY:

I don't have a programmatic problem with it, but --

LEG. CARACCILOLO:

I'll make a motion to defer to prime.

LEG. CRECCA:

Second, second.

LEG. FOLEY:

What happened in prime?

LEG. CARACCILOLO:

I think it was tabled in prime.

LEG. FOLEY:

I'll keep the motion to approve.

LEG. CRECCA:

Second the motion to defer.

LEG. FOLEY:

I think deferral has precedence over approval.

LEG. CRECCA:

It does, it takes precedence, the motion takes precedence over a motion to approve.

CHAIRPERSON FIELDS:

Motion to defer takes precedence over a motion to approve?

MR. SABATINO:

Defer takes precedence.

CHAIRPERSON FIELDS:

Okay.

LEG. FOLEY:

On the motion.

LEG. CARACCILOLO:

Brian, if you would just suffer --

LEG. FOLEY:

Sure.

LEG. CARACCILOLO:

Maybe Counsel could look at his notes from the Budget Committee and advice us of IR 1961, what the action taken there was?

MR. SABATINO:

1951?

LEG. CARACCILOLO:

Sixty-one.

CHAIRPERSON FIELDS:

Sixty-one.

LEG. CARACCILOLO:

Legislator Levy's Prenatal Care.

MR. SABATINO:

That was tabled -- I'm sorry, that was approved, that was approved. It was tabled at first but there was a little confusion.

LEG. CARACCILOLO:

Right, okay.

LEG. FOLEY:

Motion to approve.

LEG. CARACCILOLO:

And I was confused this morning if it was a approved or tabled

MR. SABATINO:

Yeah. No, initially there was a motion to table.

LEG. FOLEY:

That's why we have Counsel.

LEG. CARACCILO:

If he's confused that we're all confused.

MR. SABATINO:

Initially.

LEG. FOLEY:

Initially. Okay, but through conversation and dialogue we're able to bring clarity to the issue. So with that being said, Madam Chair, that the prime committee has approved, I would hope the secondary committee would. I'll make a motion to approve.

CHAIRPERSON FIELDS:

And I'll second the motion to approve.

LEG. FOLEY:

All in favor? Opposed?

CHAIRPERSON FIELDS:

All in favor? Opposed? **Approved (Vote: 5-0-0-0).**

**1971-00 (P) - Modifying composition of County Legislature
Rhabdomyosarcoma Task Force (Fields). Motion to approve.**

LEG. CARACCILO:

Second.

CHAIRPERSON FIELDS:

All in favor? Opposed? **Approved (Vote: 5-0-0-0).**

Am I right? This is a record. Motion to adjourn, unless we have --

COMMISSIONER BRADLEY:

No, no, no, not on that. Could I just double check about the tooth fairy, was that approved at Finance? Just to make sure.

MR. SABATINO:

It was approved at \$35,000.

LEG. CARACCILO:

Right.

MR. SABATINO:

1938 was approved at Budget.

COMMISSIONER BRADLEY:

Okay.

CHAIRPERSON FIELDS:

I just have one question.

LEG. CARACCILO:

On that same resolution. Paul, my recollection was there was a question about the offset and I think there was a representation from Jim Spero of Budget Review that it was a modified offset?

MR. SABATINO:

And also you asked Mr. Weiss --

LEG. CARACCILO:

Right.

MR. SABATINO:

-- who was fine. In fact, he was the one who caught the discrepancy on the \$35,000.

LEG. CARACCILO:

Right. So --

MR. SABATINO:

That \$35,000 wasn't a problem.

LEG. CARACCILO:

Dr. Bradley, both the Budget Director and the Budget Office indicated this was a good offset. So if that's not the case --

COMMISSIONER BRADLEY:

Okay.

MR. SABATINO:

But it's 35,000, not 50.

LEG. CARACCILO:

Right.

LEG. CRECCA:

I'd still request the Commissioner to have somebody available to comment on this bill and some of the other ones too that were approved out of Budget.

COMMISSIONER BRADLEY:

At the full Leg.

LEG. CRECCA:

At the full Leg, yes, please.

COMMISSIONER BRADLEY:

Yes, we'll be there.

CHAIRPERSON FIELDS:

I have two concerns --

COMMISSIONER BRADLEY:

Sure.

CHAIRPERSON FIELDS:

-- that I just wanted to ask you about. Back in August I had asked you about medical -- EMS had wanted to -- they talked about -- I will read the note that I had gotten;

"Effective August 7th, the DARE Unit of the Police Department had been reassigned to individual precinct COPE Units. The DARE Officers will now report directly to the COPE Sergeant in the Precinct in which they're assigned. This was done to increase the accountability of the DARE officers and to better utilize their down time. The reassignment will not effect the quality of the DARE Program. The DARE Unit had previously been occupying office space at the Dennison Building with regard to the interest in locating space for the Health Department's EMS Unit, this space is currently available. It could be used as office space with an off-site location used for storage until the Legislature vacates the first floor of the Dennison Building." And I had asked you to find out if you needed or were going to complete a Space Allocation Request for this?

COMMISSIONER BRADLEY:

Yeah, we did do that and at the -- I'm not sure if it was the last Space Committee or the one before that it was approved for EMS to move into where Budget Review is now and that's on target for November.

CHAIRPERSON FIELDS:

Good.

COMMISSIONER BRADLEY:

So that seems to be solved.

CHAIRPERSON FIELDS:

Great, thank you. The other concern I have is that I was contacted about a spill in the Bay Shore Health Center, a Mercury spill?

COMMISSIONER BRADLEY:

Yes, a blood pressure, copy machine was knocked over. And when it was discovered, we have an outside contract that we used to help with the clean-up of that, so that occurred, the clean-up occurred.

CHAIRPERSON FIELDS:

I had heard that some people had gone home and were having some problems?

COMMISSIONER BRADLEY:

That's not from the Mercury spill. There was two separate incidents, one was a Mercury spill from the instrument, as I said. The other was last Wednesday there was the smell of gasoline in the building and the building was evacuated and the Fire Marshal came, EMS providers came and there was a tour of the building to try to identify what the cause was. We believe we found the cause, it was determined that the building -- at the end of that day that the building was safe to go back into. The Health Department was really the only people that evacuated, Touro people did not evacuate. We have been having air quality issues in the building, we've been doing air quality monitoring, it's still an ongoing issue. What happened last Wednesday appears to be an isolated incident with some gasoline.

CHAIRPERSON FIELDS:

Do you know where the gasoline came from?

COMMISSIONER BRADLEY:

My understanding is there was a tank of it on the Touro side of the building

that was uncovered and that was -- with the Fire Marshal being there, that problem was rectified, that was isolated. We're still having ongoing air quality issues in that building that we're working with now in terms of doing air quality monitoring, we have the State involved, OSHA has been in, PESH has been in.

CHAIRPERSON FIELDS:

And the Mercury spill is --

COMMISSIONER BRADLEY:

That was isolated.

CHAIRPERSON FIELDS:

Not a problem at all, no one was --

COMMISSIONER BRADLEY:

Well, it was an issue at that point, but no, no one was exposed.

CHAIRPERSON FIELDS:

Okay, thank you.

LEG. FOLEY:

Can I just ask as a follow up to that? These air quality problems, is it the responsibility of the landlord to have a better air exchange, or what's the problem?

COMMISSIONER BRADLEY:

Well, we've looked at air exchange and it appears to be appropriate in terms of a health care facility. The values that we're finding in terms of the chemicals do not come anywhere near OSHA standards in terms of action levels, so right now we're in a quandary. And we're trying to work through Touro, we're trying to work through the state to try to resolve these issues and we're continually doing air quality testing.

LEG. FOLEY:

When we say that we're working through Touro, I mean, have you requested Touro to take certain actions and they haven't taken them to correct some of the mechanical problems?

COMMISSIONER BRADLEY:

Well, we first identified -- last Wednesday was the first time we were actually able to go into the Touro side of the building and identify what we think are

problems. So right now we're --

LEG. FOLEY:

You mean up to that point they wouldn't allow you into that side of the building?

COMMISSIONER BRADLEY:

We did not go, no, we were not allowed in.

LEG. FOLEY:

You requested it and they didn't allow it?

COMMISSIONER BRADLEY:

Yes.

LEG. FOLEY:

How long has that been going on?

COMMISSIONER BRADLEY:

This has been going on for the last -- the building has had air quality problems for years, even before Touro went in; over the last few months it has been worse.

LEG. FOLEY:

I understand. So the Health Department has requested of Touro over a number of months to --

COMMISSIONER BRADLEY:

Well, that request --

LEG. FOLEY:

Is that correct?

COMMISSIONER BRADLEY:

-- probably occurred over the last month.

LEG. FOLEY:

Okay. And initially they were reluctant or they refused?

COMMISSIONER BRADLEY:

Yes, yes. And we didn't have any official power to go in, we didn't find something that officially as the Health Department we could go in and say, "We have to go in."

LEG. FOLEY:

So you were able to finally go into it.

COMMISSIONER BRADLEY:

Yes.

LEG. FOLEY:

And what did the department identify by going in to the other part of the building?

COMMISSIONER BRADLEY:

We found some concerns that we don't know if they're the cause of the problem where in certain areas where intake and exhaust we think are too close.

LEG. FOLEY:

So are you having someone either from the department or from public works to take a look at this?

COMMISSIONER BRADLEY:

Yes, Public Works is also involved. We're in the process of hopefully getting their floor plans and working with high level administrators at Touro. It's ongoing now, meaning we're still trying to work this, it's an ongoing problem.

LEG. FOLEY:

So will the department of public works issue some kind of -- not report but finding as to --

LEG. CARACCILO:

Statement.

LEG. FOLEY:

Statement as to what they believe what the problem is?

COMMISSIONER BRADLEY:

I can double check, but they're going to do that.

LEG. FOLEY:

If Mr. Maimoni could lend some -- this is an important question, Madam Chair, because one of the understandings when the County gave that particular site to Touro was that Touro would not only abide by the letter of the law, but also by the spirit of it. And they're supposed -- letter of the contract, but also the

spirit which is to work cooperatively with the County, both the community college as well as with the County institutions, especially the Health Department. So I am somewhat surprised and concerned that they haven't been as initially cooperative as they could. But if you could just tell us, you know, where this is leading to and how quickly there may be some remedies for the people who work there.

COMMISSIONER BRADLEY:

Well, once -- we're in the process of getting the plans, as I said.

LEG. FOLEY:

Right.

COMMISSIONER BRADLEY:

And we will be working with Public Works and we, with Public Works, can look at what we see in the plans knowing what we saw when we walked around and put formal recommendations to them. We have checked really in terms of -- as I said, in terms of a health facility, other than the OSHA standards all it talks about is air exchanges, and that's really for communicable diseases, Tuberculosis, and that appears to be appropriate. But there are other issues that are going on in terms of chemicals that we're identifying, they're not at OSHA standards but they're causing symptomatology in the employees; not patients, patients are not complaining.

LEG. FOLEY:

Chemicals from the Health Department side or from the Touro side?

COMMISSIONER BRADLEY:

We believe it's from the Touro side.

LEG. FOLEY:

Okay. Are they taking any remedial action?

COMMISSIONER BRADLEY:

Well, until we get the plans and until we sit down with Public Works and formally say, okay, this is what we've identified, this is what we're experiencing and this is what we think needs to be done. We haven't formed -- we have informally done that, we have informally contacted them about the problems we're having, it wasn't until last Wednesday that we were actually able to walk around. We don't have the floor plans yet.

LEG. FOLEY:

I would think floor plans were -- floor plans were not submitted to the County when Touro took over the facility?

COMMISSIONER BRADLEY:

I don't know that.

LEG. FOLEY:

I'm just saying --

COMMISSIONER BRADLEY:

Yeah, I don't know that.

LEG. FOLEY:

-- I would think that Public Works would have a copy of those floor plans, or those floor plans should have been made available almost from the beginning, Commissioner, only because changes had to be made to the building in order to accommodate, you know, the health center, you know, from the very beginning of the conveyance.

COMMISSIONER BRADLEY:

Right.

CHAIRPERSON FIELDS:

I believe that when we --

LEG. FOLEY:

So those blueprints should be around.

CHAIRPERSON FIELDS:

When we do a lease we have a copy of the floor plans.

COMMISSIONER BRADLEY:

Yeah, but that's for our side of the building, I don't know that we have it for their side of the building.

MR. MAIMONI:

Excuse me, I might be able to help. Touro now owns the building.

LEG. FOLEY:

Correct.

MR. MAIMONI:

Last year about this time, a little earlier in the summer, Touro went about the business of changing the HVAC system for that building. Now, I'm a little out of my element, I don't believe there's any reason why they have to give us copies of plans of what they're doing to their building, but they did replace the whole HVAC system in the building. And part of our problem, part of the reason why our employees in that building are very sensitive to the situation is last year they had no air-conditioning and we had to take remedial action, then they put a whole new HVAC system in and that's -- you know, and Touro's done. But last year they were uncomfortable, now they've got a new HVAC system and now they're getting smells and these other things that are causing them to be uncomfortable, so they're unhappy with that.

LEG. FOLEY:

And as a result -- these are complaints that have been made after the HVAC system has been changed in the rest of the building?

MR. MAIMONI:

Yes, because Touro -- I don't want to categorize it as a medical school, but they're --

COMMISSIONER BRADLEY:

Yes, for health services.

MR. MAIMONI:

It's a health services thing and they're doing things like, you know, they're bringing corpses in to work on.

LEG. FOLEY:

But the whole understanding -- this is not a criticism of the department as much as it is of Touro, but the whole understanding was when they were going to not only put together their curriculum for the classes there and work closely with the community college about some of the Associate's Degrees, but at the same time if and when -- because I can clearly remember when we had these discussions when there were hundreds of people from Bay Shore who came to meetings about this about wanting to see this thing happen, that it was part and parcel of the redevelopment of downtown Bay Shore. But the promises made at that time by the top administration at Touro was that they're going to work cooperatively with the County not only at that point but, you know, in the future.

What's my point? My point is if they were going to make substantial changes

to most of the building, then the logical thing for them would have been to include the health portion of the building or at least speak with you and say, "Listen, here are the changes that we're going to be making, what are your thoughts about it, do you think that this is going to impact your own HVAC system?" What I'm driving at is the point has to be driven home to them that if and when they do work in other parts of the building they need from the get-go to include the County in those discussions so that when they do make capital improvements to the building that it doesn't impact one of the tenants, and that's a basic landlord/tenant relationship and I don't know why they didn't do it in in this case.

So they changed all the mechanical systems in all parts of the building with the exception of the health center; is that correct?

MR. MAIMONI:

I don't want to misrepresent how much I know about this.

LEG. FOLEY:

Right.

MR. MAIMONI:

But my understanding is they've changed all the HVAC systems for the entire building.

LEG. FOLEY:

Including --

MR. MAIMONI:

Including the health center. And part of our problem may be right now is that it's one HVAC system, to the extent that it takes up the fumes from the medical lab and throws it up into the plenum and then it gets redistributed through the building so you get these smells throughout the building.

CHAIRPERSON FIELDS:

How involved is OSHA?

COMMISSIONER BRADLEY:

They were in last week, they are not doing any independent testing. They have not issued their report, so until they do that -- we have reached out to them to speak to them, they have not returned the calls to us, so that's all I know at this point. And as I said, none of the values exceed OSHA standards.

CHAIRPERSON FIELDS:

May I ask that next month when we have our next Health Committee meeting -

-

COMMISSIONER BRADLEY:

Sure.

CHAIRPERSON FIELDS:

-- you give us an update and status of where we're at?

COMMISSIONER BRADLEY:

Surely.

CHAIRPERSON FIELDS:

Okay. Anybody else have any questions? Motion to adjourn. Okay, thank you.

(*The meeting was adjourned at 10:17 A.M.*)

**Legislator Ginny Fields, Chairperson
Health Committee**